

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: : CHAPTER 7
KAREN ELAINE DICKERSON, : CASE NO. 19-59018 - LRC
DEBTOR. :

MARY IDA TOWNSON, :
UNITED STATES TRUSTEE, :
MOVANT, :
vs. : CONTESTED MATTER
KAREN ELAINE DICKERSON, :
RESPONDENT. :
:

MOTION OBJECTING TO DISCHARGE PURSUANT TO SECTION 727(a)(8)

Mary Ida Townson, United States Trustee for Region 21, moves the Court to enter an order denying a discharge to Karen Elaine Dickerson, (“Ms. Dickerson”) pursuant to Bankruptcy Code section 727(a)(8). In support of this motion, the United States Trustee respectfully shows as follows:

STATEMENT OF FACTS

1. On June 10, 2019, Ms. Dickerson commenced the underlying bankruptcy case by filing a petition for relief under chapter 13 of the United States Bankruptcy Code (the “Petition”).
2. On May 5, 2022, the Court converted the case to chapter 7.
3. On her Petition, Ms. Dickerson indicated her social security number is XXX-XX-5682.

4. On her Petition, Ms. Dickerson disclosed that she filed three bankruptcy cases within the eight years prior to filing the instant case. Records of the Clerk of the United States Bankruptcy Court for the Northern District of Georgia confirm that on May 14, 2014, Karen Elaine Dickerson, with social security number XXX-XX-5682, commenced Case No. 14-59563-BEM by filing a chapter 7 petition (the “First Bankruptcy Case”).

5. Records of the Clerk of the United States Bankruptcy Court for the Northern District of Georgia show that on August 20, 2014, the Court issued a chapter 7 discharge in the First Bankruptcy Case.

6. Ms. Dickerson filed the Petition less than eight years after filing the petition in the First Bankruptcy Case.

7. Ms. Dickerson received a chapter 7 discharge in the First Bankruptcy Case, which she commenced within eight years before the date of the filing of the Petition.

STATEMENT OF APPLICABLE STATUTE, RULES

8. At the time Ms. Dickerson filed the Petition, the Bankruptcy Code provided that a debtor shall not be granted a discharge if the debtor has been granted a discharge in a case commenced within eight years before the date of the filing of the petition. 11 U.S.C. 727(a)(8).

9. Pursuant to Federal Rules of Bankruptcy Procedure 4004(a), the deadline for filing a motion objecting to Ms. Dickerson’s discharge in this case is August 8, 2022.

CONCLUSION

10. Ms. Dickerson received a chapter 7 discharge in a bankruptcy case (Case No. 14-59563-BEM) that was commenced within eight years before the date of the filing of the Petition.

11. The United States Trustee timely files this motion.

12. As a matter of law, Ms. Dickerson is not eligible to receive a discharge in this case.
11 U.S.C. 727(a)(8).

WHEREFORE, the United States Trustee respectfully requests the Court enter an order
denying Ms. Dickerson a discharge in this bankruptcy case pursuant to section 727(a)(8) .

MARY IDA TOWNSON
UNITED STATES TRUSTEE
REGION 21

/s/
Lindsay P. S. Kolba
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CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing *Motion Objecting to Discharge Pursuant to Section 727(a)(8)* using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program.

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I further certify that on this day, I caused a copy of this document to be served via United States First Class Mail, with adequate postage prepaid on the following parties at the address shown for each.

Karen Elaine Dickerson
1885 Harper Drive
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Morrow, GA 30260

/s/
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